Calendar No. 873

82D CONGRESS, 1st Session | SENATE | REPORT No. 921

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OCT 1 9 1951
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MARGARET K. N. MILLER

OCTOBER 8 (legislative day, OCTOBER 1), 1951.—Ordered to be printed

Mr. McCARRAN, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 3376]

The Committee on the Judiciary, to which was referred the bill (H. R. 3376) for the relief of Margaret K. N. Miller, having considered the same, reports favorably thereon, with an amendment, and recommends that the bill, as amended, do pass.

AMENDMENT

Page 1, line 5, strike out "$12,500" and insert "$10,000".

PURPOSE

The purpose of this bill as amended is to pay the sum of $10,000 to Margaret K. N. Miller, in full settlement of all claims against the United States for personal injuries, medical and hospital expenses, and future expenses sustained by Margaret K. N. Miller, a civilian employee of the United States in Germany, as a result of an accident involving a United States Army vehicle at Reuterweg/Bockenheimer-alage, Frankfurt/Main, Germany, on January 23, 1949.

STATEMENT

About noon on January 23, 1949, the privately owned automobile in which Mrs. Margaret K. N. Miller was a passenger, collided with an Air Force vehicle, operated by an enlisted man of the Air Force on Mainzerland Strasse, Frankfurt, Germany. The driver of the Air Force vehicle admist that he lost control of his vehicle when he attempted to make a turn on the streetcar tracks and that the loss

of control resulted in the accident. He further stated in his affidavit that he was traveling at the rate of 25 miles per hour when he struck the vehicle in which Mrs. Miller was riding as a passenger.

Mrs. Miller was admitted to the Ninety-seventh General Hospital at Frankfurt, Germany, on the same day and remained there for 9 days. The claimant sustained injuries about the face and legs which disfigured her and will necessitate plastic surgery; the skin graft will effect an improvement of approximately 80 percent.

The Department of the Army, in its report dated June 28, 1951, stated that the sum for which this bill was originally introduced in the House, $15,000, would be excessive, and $10,000 was recommended by the Department as adequate compensation. This committee concurs with the Department of the Army in approving this claim in the amount of $10,000.

House Report 922, which accompanies H. R. 3376, Eighty-second Congress, first session, is hereby incorporated by reference. The statement of George W. Rafferty, major, Medical Corps, in regard to the injuries of the claimant is set out in full below.

NINETY-SEVENTH GENERAL HOSPITAL,
Frankfurt/M, Germany.

(This statement verbally requested by Maj. William E. Miller, claims officer, Rhein Main Air Base.)

Mrs. Margaret K. N. Miller was admitted to the Ninety-seventh General Hospital on January 23, 1949, and discharged 9 days later. The patient was examined on May 19, 1949, 3½ months after her discharge from the hospital, at the request of the claims officer, Rhein Main Air Base. A list of her residual injuries follows:

1. A circular jagged scar in the midanterior scalp extending from the apex of the nasal bridge to one-half inch below the hairline, measuring 1¼ by 1¾ inches and having a circumference of about 4¼ inches, with palpable subcutaneous irregularities (presumably foreign bodies that went through the skin at the time of the accident). The central area has adequate blood supply, but is somewhat elevated.
2. A ¾-inch curved scar through the left nares with a gap in the mucocutaneous border.
3. A Y-shaped scar ½ inch, and ½ inch of the upper lip left from the nose to the vermilion border.
4. A curved 2¼-inch scar with its apex downward extending to the right cheek to the corner of the mouth.
5. A 1¾-inch scar starting under the right malar bone and ending against the right side of the nose, with overgrowth of fibrous tissue throughout its length (keloid formation).
6. A ⅜-inch scar with keloid formation of the right outer lower eyelid.
7. A 1½-inch scar extending from the outer orbit, right, to the hairline.
8. A 1¼-inch linear scar of the right chin extending downward from the vermilion border.
9. A 1½-inch linear scar overlying the right tibial ridge at the junction of the upper and middle thirds.

There is a slight drooping of the corner of the right lip thought to be due laceration No. 5.

GEORGE W. RAFFERTY,
Major, Medical Corps.

A certified true copy:

HELEN KULIKOWSKA,
Major, United States Air Force.